Whoever betroths כל דמקדש אדעתא דרבנן מקדש intends that the betrothal be with the consent of the Rabbis

OVERVIEW

The גמרא explains that the reason the חכמים have the power to nullify the and validate the גט, thereby allowing the woman to remarry, is because originally the קידושין were based on the consent of the הכמים. In this case since he did not listen to the הכמים and was מבטל the גט בפני בי"ד the הכמים, the הכמים invalidated the original קידושין, thereby making her a תוספות. פנויה will explain where do we see that his קידושין is contingent on the consent of the חכמים.

- ולכד אומר בשעת קידושין כדת משה וישראל

And therefore the groom says at the time of betrothal when he is being מקדש the מקדש, 'in the lawful manner prescribed by משה and the Jewish people'. This indicates his willingness to accept the guidelines set out by the הכמים.

SUMMARY

The החן expresses his agreement that this קידושין is contingent on the consent of the הכמים, when he states by the קידושין that it will be כדת משה וישראל.

THINKING IT OVER

What will the דין be if the person who was גט בפני בי"ד, omitted originally by his קידושין the phrase כדת משה וישראל?

 $^{^{1}}$ See נחלת משה who explains that משה refers to the דיני דאורייתא and ישראל refers to the תקנות חכמים.